



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

OCTOBER MEETING, 1897.

THE stated meeting was held on Thursday, the 14th instant, at three o'clock, P. M.; the First Vice-President, JUSTIN WINSOR, LL.D., in the chair.

The records of the June meeting and of the special meeting in July were read and approved; and the Librarian read the list of donors to the Library during the summer vacation.

Mr. THORNTON K. LOTHROP, from the sub-committee on the erection of a new building, reported that a contract had been made in conformity with the plans submitted at the special meeting, and that the work had been steadily prosecuted during the summer. It was expected that the walls would be all up, and the building roofed over, by the first of January.

The Treasurer said that since the last meeting he had received from the executors of the will of our late associate, the Hon. John Lowell, the sum of three thousand dollars, being the amount of a legacy left to the Society by Judge Lowell; and with the concurrence of the Council he moved the following vote, which was unanimously adopted:—

Voted, That the legacy of three thousand dollars by our late associate, the Hon. John Lowell, be gratefully accepted, and that the Treasurer be directed to set the same apart as a permanent fund to be called the Lowell Fund, the income thereof to be applied to such purposes as the Council may from time to time authorize.

Mr. SMITH further said that he desired to call attention to the recently published Memoir of our late President, the Hon. Robert C. Winthrop, by his son, Mr. Robert C. Winthrop, Jr. This is not one of the regular publications of the Society, though it was prepared in accordance with an appointment made at the meeting in December, 1894; but on account of its length, and the large space which was given to Mr. Winthrop's political life, it was thought desirable to follow the precedent set by President Quincy when he prepared for the Society his Memoir of John Quincy Adams, and to issue it as a separate volume. Mr. Winthrop, however, had taken pains to send a copy to every member of the Society, and to the various organized bodies to which our publications are usually sent; and if any member had failed, through absence from home or other cause, to receive a copy, the omission would be supplied by the author.

Mr. Smith communicated, in behalf of Rev. EDWARD G. PORTER, who was necessarily absent from the State, the following report:—

The Cabot Celebration at Halifax.

At the request of the President, I had the honor to represent the Society as its delegate at the meeting of the Royal Society of Canada, last June. This meeting was made especially memorable by the observance of two important anniversaries; namely, the fourth centenary of Cabot's landfall, and the Diamond Jubilee of her Majesty Queen Victoria.

The Royal Society ordinarily holds its meetings at Ottawa; but this year Halifax was selected on account of its advantageous position upon the seaboard much nearer the scene to be commemorated. The Society had also planned to erect a memorial of Cabot's great achievement; and as no one spot could be agreed upon as the "land first seen," the committee wisely decided to place a bronze tablet in the Province House at Halifax.

All the arrangements for the meeting were carried out on a generous scale. The Society invited as its guests delegates from the city of Bristol, the city of Venice, the Royal Geographical Society of London, and from several Universities and Historical Societies in Canada and the United States. The government of Nova Scotia and a committee of the

citizens of Halifax joined the committee of the Royal Society in extending the courtesies of the occasion. The meetings continued from the 21st to the 25th of June, and were generally held in the Legislative Council Chamber of the Provincial Building, — a fine stone structure of modest proportions, enclosed in shaded grounds, reminding one of the older public buildings of the mother country, and quite as dingy and venerable in appearance. The 22d was given up to the Queen's Jubilee, and the 24th to the dedication of the Cabot tablet.

Among the papers read before the Historical section were three which attracted special attention, as they related to the great discovery. The first was by the Hon. John Boyd Thacher, mayor of Albany and author of the recent sumptuous volume entitled "The Continent of America: Its Discovery and Baptism." Mr. Thacher carefully laid out the course of the "Matthew," following the scanty information furnished by Pasqualigo and Soncino. He imagined a fixed course and a fixed measurement of distance, and was led thereby to favor Labrador, "somewhere near Hudson's straits," as the landfall. "We have picked our way through ice and doubt," he said in concluding, "but one thing is clear: it was an English ship that crossed the ocean; English feet first trod these northern shores; English hands planted the familiar ensign and took possession in the name of Henry VII. It matters not whether it was John or Sebastian, whether it was Labrador or Newfoundland or Cape Breton. The title to all this goodly territory runs from ocean to ocean. The vision was Cathay; the reality was America." Mr. Thacher exhibited an autograph letter of Henry VII. and other original documents.

The next paper on the subject was by Samuel E. Dawson, Lit. D., of Ottawa, whose previous contributions to the Transactions of the Society have been highly valued for the painstaking research as well as for the calm judicial tone which they always exhibit. Dr. Dawson alluded to his monograph of 1894, and said that although it had occasioned considerable comment, he had seen no new arguments against it, — nothing whatever to invalidate his conclusions.

There were now, he said, only two advocates for the Newfoundland theory (I suppose he meant Judge Prowse and Bishop Howley), and Labrador is put out of court by all Canadians. Most of the earlier writers have steadily confused

the two voyages. The first one was not a survey, but only a reconnoissance. He considers the Cosa map of 1500 in part a transcript of the 1497 voyage made by John Cabot himself. *Cavo de Ynglaterra* is Cape Race. This he considers the cardinal point on which the whole debate turns. Cape Breton is the *Cavo descubierto* of Cosa's map, and the *Prima Vista* of the Mappemonde of 1544.

Dr. Dawson acknowledges his great indebtedness to HARRISSE, but cannot follow him in some of his recent conclusions, as, for example, when he sends Cabot—who does not mention ice—up to 63 degrees two weeks before June 24. He evidently does not know Labrador when he writes of *baccalaos*; for codfish do not arrive at Cape Chidley till August. HARRISSE disclaims for Spain any jealousy, but the Bull of Partition points to another conclusion.

As to Sebastian Cabot, Dr. Dawson reminds us that the standard of truth in the Renaissance period was not high. Winsor's Columbus shows us that. Sebastian should not be dismissed as a liar. We must remember that we have nothing from his own pen. If he was such a fraud as is now claimed by some writers, so were Ferdinand, Charles V., and Henry VIII. The Court of Spain had many able sailors who would surely have detected gross falsehood in a foreigner like Sebastian. We must concede him the first place in nautical matters. He would be justified by his Spanish position in suppressing certain facts. His first duty was to his own master. He was a scientific theorist, but not an impostor.

A poem upon Cabot was read by Mr. W. Wilfred Campbell.

The last paper was by the President of the Society, Archbishop O'Brien. It was an elaborate study, illustrated by diagrams, and presenting some novel features. PASQUALIGO, he said, gives us the distance sailed,—seven hundred leagues. SONCINO gives the direction taken. These two data, however, do not suffice, for they will apply to Labrador, Newfoundland, or Cape Breton. But, happily, SONCINO supplies another point which has been overlooked. He says that Cabot “passed considerably the country of Tanais,” that is, evidently its latitude, according to the early custom of locating unknown shores by comparing them with well-known places in the old world. The “country of Tanais” is the area included within the great bend of the river Don, between the 50th and the 48th

degrees. Bristol is about 51 degrees. So Cabot must have sailed south of the latitude of Tanais. This gives us a third known quantity, which enables us to solve the problem. We must, therefore, exclude Labrador, Cape St. John, and Bonavista. The only place fulfilling all the conditions is Cape Breton Island, either on the Atlantic Coast, or, more likely, within the Gulf, southward of Cape North, near Mt. Squirrel. In this case Cabot did not see Cape Race, but passed south and west of it, and came toward Prince Edward Island, and could easily have coasted the gulf in nine days. The Micmacs — traces of whom he found — fished in the Gulf and never went out upon the ocean. The “seven cities” were at Château Harbor, which has the appearance of being fortified.

The President then took up the second voyage, and handled the Cosa map in a very bold and ingenious manner. It has been generally taken for granted that Cabot's charts have been lost; but let us examine the Cosa map. It is admitted by all that the northern portion is founded upon information derived from Cabot himself. The work is evidently made up of two pieces. We can find the scale on which the portion covered by the Spanish flag is drawn. This scale does not fit the coast line covered by the English flag. We infer, therefore, that Cosa copied that part from another man's work. Happily for us, he did not attempt to reduce it to his own scale. Can we then discover the scale of Cabot's shore line? We must distinguish between the chart and the map. Only the chart is Cabot's. The most southern of the English flags would be near Cape Henry. *Cavo descubierta* is the cape first made — the landfall, that is, Cape Breton Island, in latitude $46^{\circ}30'$. The distance between these two points — $3\frac{3}{4}$ inches — is ten degrees. This gives us the scale of Cabot's chart; namely, $\frac{3}{8}$ of an inch to a degree. This clue restores Cabot's chart to its proper position. But we see a distortion in Cosa's map. Cabot surveyed the coast from north to south. Hence *Cavo d'Ynglaterra* cannot be Cape Race. Cosa, in joining Cabot's chart to his own, made it run east and west. This explains the fruitless attempts of modern scholars to understand it. It explains also why Cosa's map was never reproduced, but was quickly laid aside. Yet it has preserved to us Cabot's chart unmarred.

The Archbishop saw that this position was radical and called

for further proof. Accordingly he went into an exhaustive argument to justify his statements. Applying his scale, he found *Cavo d'Ynglaterra* to be Cape Chidley; *Cavo de Jorge*, Cape Race — fittingly named after England's patron saint; *Y. Verde* is the Green or Grass Island of to-day; *Isla de la Trenidat* is Ogná Lik — Cod Island — in $57^{\circ}40'$, with three remarkable hills. The small island near the second flag is in $43^{\circ}50'$, and must be Sable Island. Other places are identified after the same fashion; and the author seems to have convinced himself, if not others, that this is a chart of the whole coast-line from Cape Henry to the north of Hudson's Bay. He finds another proof in the names on the chart, which bear marks of Cosa's classical condensation from Cabot's rough English phrases, according to the rules of the time.

The writer thinks he has reason for believing that John Cabot did not die during the second voyage, but returned unsuccessful, and dropped out of sight, as indeed Sebastian did for several years. Men forgot the achievements of the father, hearing so much afterward of the son who gained a European reputation. In the eyes of the commercial world the father had failed. Some day, in the crypt, or amid the other dark nooks of St. Mary Redcliffe at Bristol, a slab will yet be found which will tell us when and how John Cabot died.

The crowning feature of the occasion was the unveiling of the tablet at the Province House on the afternoon of the 24th. The inscription, which was carefully prepared by Messrs. Bourinot and Dawson, does not commit the Society to any one of the theories as to the landfall.

Through the kindness of E. Gilpin, Esq., F. R. S. C., one of the Halifax committee, I have obtained an excellent facsimile of the tablet which I take pleasure in presenting to the Society. It shows the artistic decorative border representing the royal arms in the centre, with those of Bristol and Venice on either side, and the good ship sailing away from the old-world port toward the sun, which is setting behind the distant shore.

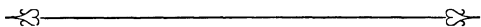
The ceremony of unveiling was worthily performed by his Excellency the Governor-General, who was accompanied by Lady Aberdeen and a large number of distinguished guests representing the Army and Navy, the Dominion, the Province, the City, and foreign lands. Among the speakers were the

Bristol delegates, Messrs. Barker and Davies, — both of them recent mayors of that city, — United States Consul-General In-

THIS TABLET IS IN HONOUR OF THE FAMOUS NAVIGATOR

JOHN CABOT

Who under authority of letters-patent of HENRY VII directing him “*to conquer occupy and possess*” for ENGLAND all lands he might find “*in whatever part of the world they be,*” sailed in a BRISTOL Ship THE MATTHEW, and first planted the flags of ENGLAND and VENICE on the 24th of June 1497 on the north eastern seaboard of NORTH AMERICA, and by his discoveries in this and the following year gave to ENGLAND a claim upon the Continent which the colonizing spirit of her sons made good in later times.



This tablet was placed in this hall by the ROYAL SOCIETY of CANADA in JUNE 1897 when the BRITISH EMPIRE was celebrating the SIXTIETH Anniversary of the Accession of Her Majesty QUEEN VICTORIA during whose beneficent reign the Dominion of CANADA has extended from the shores first seen by CABOT and English sailors four hundred years before to the far Pacific coast.

HIS EXCELLENCY THE EARL OF ABERDEEN
Governor-General of Canada.

C. O'BRIEN, D.D. PRES. R. S. C. HIS HONOUR M. B. DALY
[ARCHBISHOP OF HALIFAX] *Lieutenant Governor of Nova Scotia.*
J. G. BOURINOT, C. M. G. HON. SEC. R. S. C.

CITY OF BRISTOL DELEGATES

WILLIAM ROBERTS BARKER, J. P.
WILLIAM HOWELL DAVIES, J. P.

graham, Mayor Thacher of Albany, and Consul-General Solimbergo, who represented, he said, the City of Venice, the Italian Geographical Society, and the Ministry of Public Instruction. He gave a glowing address quite characteristic of his race.

Speaking of the adventurous seamen who had gone forth from the Italian maritime republics to conduct distant voyages of discovery, he said, "The Cabotos were like feathers from the winged Lion of St. Mark," flying to these western shores, then desolate, but now swarming with restless activity. At the conclusion of his speech three rousing cheers were given for the King of Italy.

Then occurred one of the most touching incidents of the day. A Micmac Indian woman came slowly through the crowd, and handed to the Countess a dainty basket woven of colored splints, — a fine specimen of native handicraft. She wore the brilliant dress of her tribe, with the stiff peaked hood, — a survival, I presume, of the skin costume of her ancestors, which is still retained in northern Labrador. The gift was graciously received amid the applause of the company; and several other Indians came up with their chief, John Noel of Shubenacadie, and were presented by the Archbishop.

The Bluejackets of H. M. S. "Crescent" acted as a guard of honor during the exercises.

I ought not to close this report without alluding to the social courtesies which were extended to us during the whole week, such as the luncheon given by the President of the Society; the steamer excursion around the beautiful harbor, given by the government of Nova Scotia; the brilliant reception by the Lieutenant-Governor and Mrs. Daly; and the five-o'clock teas at the villa of Sir Sandford Fleming and elsewhere. The concluding reception was held at the Province House by the Nova Scotia Historical Society.

The Royal Society and its guests were also invited to a large meeting in the Opera House in honor of the late Joseph Howe, the eminent statesman, for whom a statue is soon to be provided. The oration was delivered by the Rev. Principal Grant, of Kingston.

I should add that the Faculty of Dalhousie University and other citizens of Halifax showed us many personal favors during our visit.

The Maine Historical Society — the nearest of all our State societies to the landfall of 1497 — has given another proof of its enterprising spirit by having a Cabot celebration at its June meeting in Brunswick. Papers were read as follows: A Brief *Résumé* of Cabot's Voyages, by Hon. J. P. Baxter, of Port-

land ; The Old World at the Dawn of Western Discovery, Professor J. W. Black, of Waterville ; The Cartography of the Period, Rev. H. S. Burrage, of Portland ; The Landfall of Cabot, Professor William Macdonald, of Brunswick ; The Value and Significance of Cabot's Discovery, Professor John S. Sewall, of Bangor.

Messrs. Charles C. Smith, Samuel A. Green, George B. Chase, and Edward G. Porter were appointed a Committee to publish a volume of Pepperrell Papers, from the original manuscripts relating to the siege and capture of Louisbourg, in the possession of the Society.

The Vice-President then announced the deaths, during the summer vacation, of three Resident Members, — Messrs. George S. Hale, Edward L. Pierce, and Theodore Lyman, — and of two Non-Resident Members, — Mr. J. Hammond Trumbull and the Marquis de Rochambeau.

Mr. T. W. HIGGINSON, having been called on, said : —

I have remembered for half a century, with the utmost vividness, two young men of the lower college classes for whose entrance into the chapel I used to watch with interest at prayer-time during my senior year. One of them strode in with a peculiarly manly and indeed somewhat defiant bearing, as if ready to conquer the world, and perhaps not over-fastidious as to his means of conquering. This was Charles Anderson Dana, afterwards Assistant Secretary of War, and editor of the "New York Sun." The other glided in with a look of equally resolute purpose, but gentle, refined, disarming ; he had much beauty of feature and expression, and was known a few years afterward, as I have since learned, by those over whom he ruled as proctor in the college halls, as "The Fair One with Golden Locks." In later life, after that early bloom and picturesqueness had passed away, he was known to all reformers and philanthropists in Boston as George Silsbee Hale, of the Suffolk Bar. He was one of those who gravitate so naturally to the side of minorities and courageous enterprises, that they seem to fulfil the maxim given by Sir Philip Sidney to a young man, "Whenever you hear of a good war, go to it."

I cannot refrain from mentioning the only instance where

he showed this independence in a manner which I at the time disapproved; an occasion when, however, he thoroughly vindicated his own standard of action by his final course. At the time when Radcliffe College was reorganized under that name, he acted as counsel before a legislative committee for some warm friends of women's education, who nevertheless doubted the wisdom of the proposed policy. He was opposed by friends of the enterprise, among whom our associate Professor Goodwin took a prominent part; and Mr. Hale's view of the subject fortunately did not prevail. Receiving, however, from his clients a fee amounting, I think, to one hundred dollars, he promptly presented it to Radcliffe College, thus becoming one of the first benefactors of the institution whose creation he had opposed. This always seemed to me a bit of generous magnanimity quite characteristic of the man.

In response to the Vice-President's call, Mr. JAMES FORD RHODES said:—

I shall first speak of Mr. Pierce as an author. His *Life of Sumner* it seems to me is an excellent biography, and the third and fourth volumes of it are an important contribution to the history of our country. Any one who has gone through the original material of the period he embraces must be struck not only with the picture of Sumner that is portrayed, but with the skill of the biographer in the use of his data to present a general historical view. The injunction of Cicero, "Choose with discretion out of the plenty that lies before you," Mr. Pierce observed. If one knows of the mass of letters he read, of the newspaper files he consulted, of the books he perused, of the conversation of the actors in the stirring scenes of his time he recollected, and of the memories that crowd upon the mind of the man who has lived through such an era, one will not think the biography too long, but will rather admire the author for having kept it within reasonable bounds. In a talk that I had with Mr. Pierce I referred to a notice of an English literary weekly of his third and fourth volumes which maintained that the biography was twice too long, and I took occasion to say that in comparison with other American works of the kind the criticism seemed

unjust. "Moreover," I went on, "I think you showed restraint in not making use of much of your valuable material, — of the interesting and even important unprinted letters of Cobden, the Duke of Argyll, and of John Bright." "Yes," replied Mr. Pierce, with a twinkle in his eye, "I can say with Lord Clive, 'Great Heavens, at this moment I stand astonished at my own moderation.'"

Any one who has studied public sentiment in this country for any period knows how easy it is to generalize from a few facts, and yet, if one has gone into the subject deeply, he knows how unsatisfactory such generalizations are apt to be; not that they are essentially untrue, but rather because they express only a part of the truth. If a student should ask me in what one book he could best find a statement of the popular opinion at the North during the Civil War, I should say, Read Sumner's letters as cited in Mr. Pierce's biography with the author's comments. The speeches of Sumner may smell too much of the lamp to be admirable, but the off-hand letters written to his English and a few American friends during our great struggle are worthy of the highest esteem. From his conversations with the President, the Cabinet ministers, his fellow Senators and Congressmen, his newspaper reading, — in short, from the many impressions that go to make up the daily life of an influential public man, — there has resulted an accurate statement of the popular feeling from day to day. In spite of his intense desire to have Englishmen of power and position espouse the right side, he would not misrepresent anything by the suppression of facts, any more than he would make a misleading statement. In the selection of these letters Mr. Pierce has shown the nice touch.

Sumner, whom I take to have been one of the most truthful of men, was fortunate in having one of the most honest of biographers. Mr. Pierce would not, I think, have wittingly suppressed anything that told against him. I love to think of one citation which a biographer intending to imply that his hero was pretty nearly infallible would not have made, so quickly, indeed, did the fact show the foolishness of the opinion. Sumner wrote, May 3, 1863: "There is no doubt here about Hooker. He told Judge Bates . . . that he 'did not mean to drive the enemy but to bag him.' It is thought he is now doing it." The biographer's comment is brief:

"The letter was written on the day of Hooker's defeat at Chancellorsville."

It seems to me that Mr. Pierce was as impartial in his writing as is possible for a man who had taken an active part in political affairs, who was thoroughly in earnest, and who had a positive manner of expression. It is not so difficult as some imagine for a student of history whose work is done in the library to be impartial, provided he has inherited or acquired the desire to be fair and honest, and provided he has the diligence and patience to go through the mass of evidence. His historical material will show him that to every question there are two sides. But what of the man who has been in the heat of the conflict, and who, when the fight was on, believed with Sumner that there was no other side? If such a man displays candor, how much greater his merit than the impartiality of the scholar who shuns political activity and has given himself up to a life of speculation!

I had the good fortune to have three long conversations with the Hon. Robert C. Winthrop, the last of which occurred shortly after the publication of the third and fourth volumes of the Life of Sumner. "What," said Mr. Winthrop to me, "do you think of the chapter on the Annexation of Texas and the Mexican War?" "I think," was my reply, "that Mr. Pierce has treated a delicate subject like a gentleman." "From what I have heard of it," responded Mr. Winthrop, earnestly, "and from so much as I have read of it, that is also my own opinion." Such a private conversation I could of course repeat, and, somewhat later the occasion presenting itself, I imparted it to Mr. Pierce. "That is more grateful to me," he said, almost with tears in his eyes, "than all the praise I have received for these volumes."

Mr. Pierce had, I think, the historic sense. I consulted him several times on the treatment of historical matters, taking care not to trench on questions where, so different was our point of view, we could not possibly agree, and I always received from him advice that was suggestive, even if I did not always follow it to the letter. I sent to him, while he was in London, my account of Secretary Cameron's report proposing to arm the slaves and of his removal from office by President Lincoln. Mr. Pierce thought my inferences were far-fetched, and wrote: "I prefer the natural explana-

tion. Horace says we must not introduce a god into a play unless it is necessary."

As a friend, he was warm-hearted and true. He brought cheer and animation into your house. His talk was fresh; his zeal for whatever was uppermost in his mind was contagious, and he inspired you with enthusiasm. He was not a converser, in the French sense of the term, for he indulged in monologue; but he was never dull. His artlessness was charming. He gave you confidences that you would have shrunk from hearing out of the mouth of any other man, in the fear that you intruded on a privacy where you had no right; but this openness of mind was so natural in Mr. Pierce that you listened with concern and sympathized with warmth. He took interest in everything; he had infinite resources, and until his health began to fail enjoyed life thoroughly. He loved society, conversation, travel; and while he had no passion for books, he listened to you attentively while you gave an abstract or criticism of some book that was attracting attention. In all intercourse with him you felt that you were in a healthy moral atmosphere. I never knew a man who went out of his way oftener to do good works in which there was absolutely no reward, and at a great sacrifice of his time, — a more precious commodity to him than is money to the rich. He was in the true sense of the word a philanthropist, and yet no one would have approved more heartily than he this remark of Emerson: "The professed philanthropists are an altogether odious set of people, whom one would shun as the worst of bores and canters."

His interest in this Society the published Proceedings will in some measure show, but they cannot reflect the tone of devotion in which he spoke of it in conversation, or exhibit his loyalty to it as set forth in the personal letter. It was a real privation that he was prevented from attending these meetings last winter on account of his legislative duties.

Of Mr. Pierce as a citizen most of you, gentlemen, can speak better than I, but it does appear to me an example of high civic virtue that a gentleman of his age, political experience, ability, and mental resources could take pride and pleasure in his service in the House of Representatives of his Commonwealth. He was sixty-eight years old, suffering from disease, and yet in his service last winter he did not miss one legisla-

tive session nor a day meeting of his committee. His love for his town was a mark of local attachment both praiseworthy and useful. "I should rather be moderator of the Milton town-meeting," he said, "than to hold any other office in the United States."

The Vice-President then called on Mr. THORNTON K. LOTHROP, who spoke as follows:—

I very much regret the absence of others who, it was hoped, would speak to us of our late associate, Colonel Theodore Lyman; but it seems to me that the end of a life so heroic, the loss of an associate of whom we all had justly reason to be proud, should not pass without some notice, however imperfect, at this our first meeting since his death.

The descendant of good old New England stock, Colonel Lyman inherited that high public spirit, that strong sense of civic duties, which has always distinguished the best sons of Massachusetts and New England. Possessed of an ample competence, he was enabled to devote his leisure, so long as his health permitted, to the service of those public interests which most appealed to him.

A graduate of Harvard, he took an active part in all that tended to promote her prosperity, increase her usefulness, enlarge the circle of her studies, or raise higher the standard of attainment. He was a disciple of Agassiz, and distinguished himself as a naturalist. He was much interested in the construction of Memorial Hall, worked zealously to raise the funds for its erection, and was himself a large contributor.

He served on many charitable, educational, and philanthropic boards, and for one term as a representative in Congress. Nominated as an independent candidate, he was, in a year when party ties were held loosely in Massachusetts, elected by a large majority; but at the next election, when the lines were drawn more closely, the supposed exigencies of party politics were sufficient to cause his defeat.

As a friend and companion he was a delightful personality. Of a buoyant temperament, fond of fun, gay and animated in his talk, sympathetic and affectionate, loving and beloved, he seemed a favorite of fortune and nature. But at the meridian of his life, with everything to make that

life attractive and desirable, with his work barely half accomplished, his high purposes for future usefulness all unfulfilled, he was attacked with a disease in presence of which the skill of the physician was powerless. All further achievement became difficult, and, before very long, impossible. For nearly a score of years he faced the painful, slow, and gradual approach of death. But during this long martyrdom his faculties remained clear, he bore his sufferings with a serene fortitude which was rarely if ever shaken, and his unquenched spirit rose superior to bodily pain and physical discomfort and infirmities. He maintained for years his interest in public affairs, and was ready to contribute to whatever seemed to him for the public good ; while for his friends so long as he was well enough to see them, he had always a cheerful voice, a ready smile, and a cordial word of welcome.

The lesson of a character so noble, of such years of a distressing and hopeless illness, borne so bravely to the close, cannot leave us untouched, and is not one to be forgotten.

Mr. GEORGE B. CHASE added some personal recollections of Mr. Lyman, in substance as follows :—

My own recollections of Theodore Lyman go back to the days of boyhood. Two years older than myself, I recall him as a leader among other boys in all their sports and pastimes, until, at the age of fourteen he went with his father to Europe, where he suffered from weakness of the eyes and from a long illness in Paris. He returned, in the summer of 1849, to pass two years in light study, and in June, 1851, having lost a year from weak eyesight, he became at the age of seventeen a member of the Freshman Class of Harvard College.

No one, I think, who was at Cambridge between the years '51 and '55 could have failed to remark Theodore Lyman. Tall and handsome, with a curious air of mingled distinction and *insouciance*, he was yet as serious in study as he was fond of sports. He was, too, unusually liked among all who knew him. To a humorous and kindly nature he added a mind as quick in its apprehensions as his wit was keen — though never acrid ; while his society was deemed indispensable at all the

social gatherings of his class, or at the meetings of the college clubs to which he belonged.

Sure I am that in those happy years at Harvard there was no one who knew Theodore Lyman whose heart was not gladdened at the sight of him, or by the sound of the pleasant tones of his voice as he approached. He took his Bachelor's degree in the summer of 1855, and at once began, with earnest purpose, the study of certain branches of science, under the guiding hand of the elder Agassiz. The hour does not permit me to dwell upon this part of his life, in which he won for himself distinct recognition of his attainments in the scientific world, and I come to the period when the dark shadow of his fate fell upon him, about the time of his election to the Forty-eighth Congress. It was not, however, till he returned to private life three years later that his friends began to realize that he, whose disposition was so blithe, whose life had seemed so happy, whose society had been so courted, and whose very presence had been enough to dispel dulness and gloom, as it brought with it brightness and mirth,—that he, of all men, was in the grip of perhaps the most awful of all the ills that flesh is heir to, because so slow, so stealthy, and so utterly hopeless.

With what sustained courage and unfailing patience, with what outward calm and cheerful bearing, Mr. Lyman faced the enemy, as month by month and year by year paralysis fastened itself more and more upon him, until at the end of seventeen years death, long hoped for, came in mercy to release him, is known, I think, to some of you.

Though Lyman and I were members of two dinner clubs, one of which ended just before his illness began, and the other was afterward formed as one of the many ways that affection sought to ease his afflicted life, I was rarely able in later years to meet him; but when I was fortunate enough to see him, the same dear smile irradiated the features of his still handsome face, kind words and playful jests came as ever from his lips, and the mind, vigorous and alert as in youth, shone forth above all the terrible infirmities of disease. It was so the last time I saw him, but a little more than a year since.

Somewhere among the cemeteries of New England I have been told there was a stone erected over the grave of a woman, and below her name upon it is the brief, yet felicitous inscrip-

tion, "She was so pleasant." Of no one whom I have known in the long years that I recall do these words seem more fit than of Theodore Lyman. *He was so pleasant!*

The Vice-President, who had but recently returned from a short visit to England, made some interesting statements with regard to the return of the manuscript of Bradford's History of Plymouth Plantation, the memorial tablet to James Russell Lowell in Westminster Abbey, and some early American maps which he had examined while abroad, and read a letter from Professor Edward Arber relative to the unsuccessful search in the French archives for the missing account of the Plymouth settlement sent home by the "Fortune."¹

Mr. SAMUEL F. McCLEARY read the following sketch, prepared from authentic sources, of the origin, purpose, and results of the Franklin Fund in the City of Boston.

Benjamin Franklin was born in Boston on the 17th day of January, 1706, according to the New Style. After a career of pre-eminent usefulness to his country and to science, he died at Philadelphia on the 17th of April, 1790, in the eighty-fifth year of his age. He was therefore in his seventy-first year when he signed the Declaration of Independence.

His will was made on July 17, 1788. At that date the Revolution, in which he had been a prominent agent, had successfully terminated, and the United States of America had become a recognized nation.

Throughout his whole career, whether at home or in the courts of Europe, Franklin never forgot his humble origin, or the efforts which he made under great difficulties to obtain an education in the schools of Boston. He therefore provided in his will for the annual distribution of silver medals to the most meritorious boys in the public schools of Boston; and for this purpose he bequeathed one hundred pounds sterling, or five hundred dollars, to the town, the interest of which should be devoted to this object. The original sum has been increased to one thousand dollars, and annually the most deserving boys in the Latin and English High schools of this city now participate in this benefaction.

Having thus provided in his will for the encouragement of

¹ See 2 Proceedings, vol. xi. pp. 367, 368.

learning in his native town, he was forcibly reminded of his own early struggles for the means to support himself and for the extension of his business, when the scantiness of his purse compelled him, as he states in his Autobiography, "to carry the papers to his customers, after having worked at composing the types and printing off the sheets." To him, at that time, a loan of fifty pounds would have been regarded as a fortune.

Accordingly, on the 23d of June, 1789, in less than twelve months from the date of his will, he prepared a lengthy codicil which was devoted almost entirely to the encouragement of young married mechanics in the town of Boston and city of Philadelphia. This was the origin of the "Franklin Fund," as it is now generally termed, the object and purpose of which are fully detailed in said codicil, from which the following are extracts:—

"I was born in Boston, New England, and owe my first instructions in literature to the free grammar schools established there. I have, therefore, already considered those schools in my will. But I am also under obligations to the State of Massachusetts for having, unasked, appointed me formerly their agent in England with a handsome salary, which continued some years. . . .

"Having considered that among artisans, good apprentices are most likely to make good citizens, and, having myself been bred to a manual art, printing, in my native town, and afterwards assisted to set up my business in Philadelphia, by kind loans of money from two friends there, which was the foundation of my fortune, and of all the utility in life that may be ascribed to me, I wish to be useful even after my death, if possible, in forming and advancing other young men, that may be serviceable to their country in both those towns. To this end I devote two thousand pounds sterling, of which I give one thousand thereof to the inhabitants of the town of Boston, in Massachusetts, and the other thousand to the inhabitants of the city of Philadelphia, in trust, to and for the uses, intents, and purposes hereinafter mentioned and declared.

"The said sum of one thousand pounds sterling, if accepted by the inhabitants of the town of Boston, shall be managed under the direction of the selectmen, united with the ministers of the oldest Episcopalian, Congregational, and Presbyterian churches in that town, who are to let out the same upon interest, at five per cent per annum, to such young married artificers, under the age of twenty-five years, as have served an apprenticeship in the said town, and faithfully fulfilled the duties required in their indentures.

"And, as these loans are intended to assist young married artificers in

setting up their business, they are to be proportioned, by the discretion of the managers, so as not to exceed sixty pounds sterling to one person, nor to be less than fifteen pounds. . . . And in order to serve as many as possible in their turn, as well as to make the repayment of the principal more easy, each borrower shall be obliged to pay, with the yearly interest, one-tenth part of the principal, which sums of principal and interest, so paid in, shall be again let out to fresh borrowers.

“If this plan is executed, and succeeds as projected without interruption for one hundred years, the sum will then be one hundred and thirty-one thousand pounds, of which I would have the managers of the donation to the town of Boston then lay out, at their discretion, one hundred thousand pounds in public works, which may be judged of most general utility to the inhabitants; such as fortifications, bridges, aqueducts, public buildings, baths, pavements, or whatever may make living in the town more convenient to its people, and render it more agreeable to strangers resorting thither for health or a temporary residence. The remaining thirty-one thousand pounds, I would have continued to be let out on interest, in the manner above directed for another hundred years, as I hope it will have been found that the institution has had a good effect on the conduct of youth, and been of service to many worthy characters and useful citizens. At the end of this second term, if no unfortunate accident has prevented the operation, the sum will be four millions and sixty-one thousand pounds sterling; of which I leave one million sixty-one thousand pounds to the disposition of the inhabitants of the town of Boston, and three millions to the disposition of the Government of the State, not presuming to carry my views farther.

“All the directions herein given, respecting the disposition and management of the donation to the inhabitants of Boston, I would have observed respecting that to the inhabitants of Philadelphia, only, as Philadelphia is incorporated, I request the corporation of that city to undertake the management agreeably to the said directions; and I do hereby vest them with full and ample powers for that purpose.”

Soon after Franklin's death, information of his bequests was communicated to the Selectmen of Boston, who called a town-meeting, at which the bequests were accepted, and the following acknowledgment was sent to the executors of his will: ¹

Boston June 1. 1790.

We, the inhabitants of the Town of Boston, in town meeting assembled, now transmit to you our vote of acceptance of the Two

¹ Town Records, vol. viii. p. 173.

bequests of your testator, the most venerable Doctor Benjamin Franklin. The many useful designs, projected by that great man, during a Long and Valuable Life, perhaps even more than his exalted Talents as a Patriot, Statesman & Philosopher, must endear his Memory To Americans: while they, in a more particular manner, reflect Honor upon the Town of Boston, which gave him Birth and Education. Every step to carry into full effect his benevolent plan will be cheerfully pursued by those who he was pleased to constitute his Trustees; and rising generations will for ages Bless the name of their illustrious Friend & Benefactor.

We thank you, sir, & the other gentlemen, for your early communication of the contents of the will as far as it relates to us.

We are, with the most perfect respect, gentlemen

Your most obedient servants

In the name & by order of the Town

WILLIAM COOPER *Town Clerk.*

HENRY HILL & the other gentlemen,

Excr^s to the last will of the late

Doct^r Franklin.

Having received the bequest of the Mechanics' Fund, thereafter called the "Franklin Fund," the Selectmen became anxious lest the Trust would be affected, or lapse, by reason of the fact that there was no Presbyterian Church at that time in the town.

But, after a full consideration of the subject, they concluded to constitute the Board of Managers as follows: ¹—

April 5. 1791.

The Selectmen taking under consideration the Will of Dr. Benjⁿ Franklin, as it respects his donation to the Town of £1000 sterling, —
Voted: That as Trustees of said Donation they are to be united with the Ministers of the oldest Episcopalian, Congregational and Presbyterian Churches of this Town, and whereas there is in this Town *no* Presbyterian Church, it is further *Voted* That the said Selectmen united with the Minister of the Old Brick Church as the first Congregational one, and the Minister of the Chapel Church as the first Episcopalian Church, are the Trustees of the said Donation.

Upon the subsequent establishment of a Presbyterian Church in the town, its minister was added to the Board. The first Board of Trustees advertised for applications for loans from this Fund to such young mechanics as were duly qualified therefor. It is interesting to note in the first Book of Appli-

¹ Selectmen's Minutes for 1791, p. 258.

cations the names of many young artificers who, obtaining their first start in business through this pecuniary aid, became enrolled among Boston's respected citizens. One or two examples are selected as illustrations. On December 24, 1808, a loan of three hundred dollars was made to Charles Wells, a bricklayer, whose sureties were Leach Harris, a calker, and Seth Lothrop, a housewright. This loan was paid in full, and it doubtless led to that success which Mr. Wells achieved in his native city, and which made him worthy of the public stations and honors awarded him by his fellow-citizens, who finally elected him to the highest municipal office in Boston for the years 1832 and 1833.

Take a later case. A few years ago there was made to a young American printer, who had just married, a loan of three hundred dollars for the purchase of an outfit wherewith to set up his business. In about four or five years his literary taste was so stimulated by composition and proof-reading, that it attracted the attention of a Boston clergyman who had given him work. At the suggestion of the clergyman he sold out his business and entered into his adviser's service as an amanuensis and proof-reader. The clergyman discovering his ability urged him to study for the ministry, and gave him valuable aid to that end. He acquired information quite rapidly, and finally spent two years at the Harvard Divinity School. On leaving that institution he was settled over a small parish in this State, whence he was called at an increased salary to one of the principal towns in New Hampshire, where he is now the pastor of a flourishing church. Were other instances wanting (which is by no means the case), these two successful applications of Franklin's bequest exhibit in the clearest light the wisdom and foresight of the testator, who devised this novel plan to help the young mechanics of Boston and Philadelphia.

When the loans were first instituted, the apprentice system was in existence, by which young men intending to learn a trade bound themselves to serve for seven years some Master in the Arts, who, in lieu of compensation for such service, engaged to teach the apprentice the entire technic of the trade; so that at the end of the lad's term of service he would be fully qualified to engage in such business on his own account. But here, at the very threshold of his career, he was confronted with the hard fact that he had no tools with which to

begin his trade, neither had he any money for their purchase. This was the sharp pinch which Franklin's benefaction sought to remedy. From the generous fund provided by his will, the lad could, if he were married and under the age of twenty-five, borrow three hundred dollars, with which he could purchase the necessary tools and start his business. His master and his master's neighbor usually would be his bondsmen.

Franklin was a believer in early marriages as most conducive to morality and ultimate happiness. He therefore required of his candidates this safeguard against moral peril. At the suggestion of this judicious requirement one is forcibly reminded of the romantic incident that occurred to Franklin while a boarder with his friends Mr. and Mrs. Thomas Godfrey, of Philadelphia. Mrs. Godfrey became interested in the honesty and industry of her young boarder; and he tells us in his Autobiography, with a pathetic frankness, that "Mrs. Godfrey projected a match for me with a relation's daughter. Mrs. G. took opportunities of bringing us often together, till a serious courtship on my part ensued, the girl being in herself very deserving. Her old folks encouraged me by continual invitations to supper, till at length it was time to explain. Mrs. Godfrey managed our little treaty. I let her know that I expected as much money with their daughter as would pay off my remaining debt for the printing house, which I believe was not then above a hundred pounds. She brought me word they had no such sum to spare; I said they might mortgage their house in the loan-office. The answer to this after some days was — that they did not approve the match! and therefore I was forbidden the house, and the daughter was shut up." This rebuff was never forgotten by Franklin; hence it is a fair inference that the refusal of his prospective father-in-law to place a mortgage on his house in order to give his daughter and her lover a fair start in life suggested the principal conditions in the remarkable codicil under consideration. Thus he encouraged future apprentices to marry early, by practically providing in his bequest a dowry for each bride.

This scheme of loans, adopted over one hundred years ago, is practically the same in use to-day. Since the system of apprenticeship was abolished about seventy-five years ago, the Trustees have required each applicant to be simply a mechanic, or that he should intend to adopt a mechanical trade. He

can have the loan for ten years, but must pay back one-tenth of the principal each year, together with interest at five per cent on the balance of the loan unpaid.

During the first quarter of the century the money available for loans was nearly all taken by applicants therefor, for money was scarce and interest was generally high. In recent years the applications for loans have been comparatively few, for money has usually been plenty and cheap, and it is easier for a young man, if he be worthy and honest, to borrow three hundred dollars of a friend without giving bonds than to procure a loan from this Fund. Moreover, such are the changed conditions of modern life that a young mechanic under twenty-five cannot afford to marry and incur the necessary responsibilities and expense which such a relation involves.

In the absence of borrowers this Fund is now largely invested with moneyed institutions, where the interest is compounded annually.

Having noted the character of the Fund, let us look at its financial results.

The one hundred years of loans under Franklin's will terminated in Boston on July 1, 1891; but owing chiefly to some early losses, the Fund did not reach at this period the sum estimated by Dr. Franklin.¹

It was however determined by the Trustees at the end of the first century that in the distribution of the proceeds the same proportions should be observed as were fixed in his estimate.

The total amount of the Fund on July 1, 1891, was \$391,168.68. But, before the actual apportionment to the city could be estimated, the Trustees were enjoined from paying out one dollar, until a suit for the recovery of the entire Fund for their own benefit by the heirs of Benjamin Franklin in Philadelphia was heard and determined. The ground of this contest was that Franklin's bequest constituted a trust in perpetuity, which is illegal by the common law, except for a dis-

¹ The Franklin Fund of Philadelphia suffered in the early days losses from poor investments and from neglect to collect the interest and principal of its loans to an extent much greater than occurred in Boston, so that to-day the Philadelphia Fund amounts to only one quarter of the Boston Fund, or a little over one hundred thousand dollars. No division of the Fund, as projected by Franklin, has as yet been made. But this proposition has been suggested, that if the city of Philadelphia would appropriate a sum equal to its portion of the General Fund on hand, an Art Museum could be constructed in Fairmount Park.

tinctly charitable purpose. The judgment of the lower court at Philadelphia was adverse to the heirs, who appealed the case through additional adverse decisions to the highest court of the State, which finally decided, in May, 1893, against the heirs; and the injunction was removed from both cities.

It will be remembered that Franklin expressed a wish that the money which should be awarded the city at this time should be expended in "public works, which may be judged of most general utility to the inhabitants, such as fortifications, bridges, aqueducts, public buildings, baths, &c., or whatever may make living in the town more convenient to its people, and render it more agreeable to strangers."

Upon the purchase by the city in 1881-82 of five hundred and twenty-seven acres of land in West Roxbury for a public park, the city issued bonds for the payment therefor. A large amount of these obligations matured in July, 1891, at the very time the city should have received its portion of the Franklin Fund. Anticipating this fact, the Board of Aldermen of 1882 passed the following resolves:—

"Resolved: That in the opinion of this Board, comprising a majority of the Trustees of the Franklin Fund, it is expedient and highly desirable that the proportion of the Fund, which will be available in 1891-2 for investments in some 'public work,' should be devoted to the extinguishment of the debt incurred for the purchase of the West Roxbury Park.

"Resolved: That, in the event of such disposition of the said portion of the Franklin Fund, the park just purchased should be called 'Franklin Park,' in honor of the testator, who has so generously endowed his native town."

Acting in the spirit of these resolves, the Park Commissioners at once called this ground "Franklin Park." But owing to the injunction by the heirs, the city's share of the Fund was not available in July, 1891, and the city's bonds, which matured about that date, had to be met in some other way. Fortunately, however, by the action of the Park Commissioners, the name of Franklin will always be associated with this popular park, though none of Franklin's money is invested there.

When the injunction was dissolved and the proceeds of the Fund became available in 1893, the Trustees determined, on October 30, that the city's share was \$322,490.20. As soon

as this sum was fixed, applications for its expenditure poured in upon the Trustees. There were twenty-seven of these petitions. But it was found that under the terms of the will only thirteen of the propositions could be legally entertained.

After a discussion by the Trustees upon the merits of these suggestions, it was finally and unanimously voted, on December 28, 1893, —

“That the sum set apart from the general Franklin Fund, as due to the city on July 1, 1893, viz. \$322,490.20, with its accumulations, be paid by the Treasurer of the Fund in January next, to the City Treasurer, to constitute a special fund for the purchase of land and for the erection thereon of a ‘Franklin Trades School’ and the equipment of the same: said expenditures to be made under the direction of such department as may for the time being be charged by the statutes and ordinances with the duty of erecting and furnishing public buildings in the City of Boston. The location of, and the plans for, said School to be approved by the Board of Managers of said Fund.”

Accordingly, on January 17, 1894 (Franklin’s birthday), the Treasurer of the Fund paid to the City Treasurer of Boston the foregoing sum with its accumulations to that date, amounting in the whole to \$329,300.48, which is to be devoted to the erection of the Franklin Trades School.

No land has yet been purchased and no definite plans for such building have been drawn. In the mean while the Fund established for this purpose is drawing interest in the city treasury at the rate of about six thousand dollars annually.¹

After the deduction of the city’s portion from the General Fund, there remained a balance of \$102,455.70, which was put on interest, and will earn interest through loans and investments until July 1, 1991, when the *principal* will be divided without restrictions between the City of Boston and the Commonwealth of Massachusetts as provided in Franklin’s bequest; and the Fund will then cease to exist.

What magnificent results this second portion of the Fund will reach at that distant day may be imagined by the consideration of a single fact, which may be stated as follows. If \$5000 at five per cent interest for one hundred years, notwithstanding some early losses, produced over \$391,000, what will

¹ The amount in the City Treasury on October 1, 1897, to the credit of the Franklin Trades School was \$352,641.38.

\$102,500 produce, "if," as Franklin suggests, "no unfortunate event happens," at the end of another one hundred years? It will produce over twenty times as much, or nearly eight million dollars, to be divided between the City of Boston and the Commonwealth of Massachusetts,—the city to receive about three million dollars, and the State nearly five million dollars. This, of course, is a *general* estimate.

It will at once be seen what a superb bequest this is, not alone in a pecuniary point of view, but vastly better, as an educational factor of great promise and value.

It will be doubtless asked, What will be the character and scope of the Franklin Trades School which the city has engaged to erect? It is now, and has for years been, a serious problem to devise occupation for such boys as annually emerge from our grammar schools who do not intend to enter the high schools for further education. Statistics show that over seventy per cent of boys committed to the Concord Reformatory have never touched a hand to any trade. While some graduates of our common schools enter stores or offices, there are others who become idlers upon our streets and wharves, and are pretty sure to drift into bad company. Many of these are bright lads, who only need to have some latent interest awakened to keep them out of mischief. The Franklin Trades School proposes to offer to the graduates of the grammar schools, or other lads of a suitable age, free instruction in such branches of mechanical arts as the boys incline to undertake. There will be competent teachers in all branches, and there will be practical work done in all stages of construction.¹ Every boy has some latent mechanical taste or ability, which only requires encouragement and development to attain perfection. Many boys who do not cultivate their heads may become proficient with their hands; and handicraft, when well directed and applied, is in turn a stimulus to brain power.

This school will take the place of the old apprentice system; and a diploma upon the lad's graduation will furnish a complete proof of his competency to do faithful work, and will entitle him, if he be under the age of twenty-five and becomes married, to a loan of three hundred dollars with which to set up his chosen art.

¹ For an interesting report upon the working and benefits of Trade Schools in different parts of the country, see City Document 165 for 1894.

Every master mechanic of the present day will testify that it is very difficult to find journeymen who fully understand their business; hence we see, or hear of, careless and negligent work in all departments.

After this school has been in full and successful operation for a few years, we may confidently expect that its annual graduates will take especial pride in their employments, and will elevate the character of their several occupations; so that all work accomplished by them will be of an enduring character, and be "done upon honor," as it used to be termed in the olden time. It will be readily seen, from this imperfect sketch, that the sagacity and foresight of the poor Boston boy, whose memory is recalled to-day, have given to his native city the greatest benefaction that it has ever received, and will perpetuate the name of Franklin for generations yet to come.

A brief account of the constitution of the Board of Managers of the Franklin Fund since the adoption of the City Charter of Boston is hereto appended.

Under the City Charter adopted February 23, 1822, the Mayor and Aldermen, nine in number, became the successors of the Selectmen of the town,¹ and, accordingly, with the ministers of the churches indicated in Dr. Franklin's will, they acted as Trustees of his donation. When the Revised City Charter was adopted, in November, 1854, the Board of Aldermen,² consisting of twelve persons, in connection with the ministers above named, acted as such Trustees.

The Board of Aldermen, thus composing a major part of the Trustees, have annually appointed an auditing committee to examine the Treasurer's accounts, and their records accordingly exhibit the state of the donation from year to year.

¹ "All the powers heretofore vested in the Selectmen of the town of Boston, either by the general laws of this Commonwealth, by particular laws relative to the powers and duties of said Selectmen, or by the usages, votes, or by-laws of said town, are vested in the Mayor and Aldermen as hereby constituted, as fully and amply as if the same were herein specially enumerated." (Stat. 1821, c. 110, § 13.)

² "All the powers on the 23d day of February, 1822, vested in the Selectmen of the town of Boston, either by the general laws of this Commonwealth, by particular laws relative to the powers and duties of said Selectmen, or by the usages, votes, or by-laws of said town, and all the powers vested in the Mayor and Aldermen, whether as Mayor and Aldermen, County Commissioners or otherwise shall, subject to the approval of the Mayor as aforesaid, be and hereby are vested in the Board of Aldermen as hereby constituted, as fully and amply as if the same were herein specially enumerated." (Stat. 1854, c. 448, § 33.)

As the Commonwealth of Massachusetts has to-day, in the second century of Franklin's bequest, a larger residuary interest in the existing Franklin Fund than has the City of Boston, a petition was presented to the Legislature of 1896 for the reconstruction of the Board of Managers of this Fund, so that it shall hereafter consist of the ministers of the churches mentioned in Franklin's will, and of seven other Trustees to be appointed jointly by the Governor and by the Mayor of Boston.

The Committee on the Judiciary reported a bill (House Document 702, 1896) based upon this petition. But upon a suggestion of some difficulties in such an Act, a substitute bill (House Document 1237) was proposed, by which the Supreme Judicial Court should appoint three persons at large who, together with the aforesaid ministers, should constitute the Board of Trustees, who by such bill were authorized to receive from the Treasurer of said Fund and from the City Treasurer all moneys belonging to or derived from said Fund. Neither of these proposed bills was enacted, it being thought that the Suffolk Probate Court held the proper jurisdiction in this matter.

On petition of Hon Josiah Quincy, Mayor of Boston, Feby. 19, 1896, the said Probate Court decreed, on March 26th of the same year, that an authenticated copy of the will of Dr. Franklin as allowed in the State of Pennsylvania should be filed and recorded in the county of Suffolk as provided by law.¹

Subsequent to this action the City of Boston by its Corporation Counsel submitted to the Suffolk Probate Court a statement alleging that the old Board of Trustees went out of existence with the Board of Selectmen in 1822, and that, with the exception of the Ministers, there have been no legally constituted Trustees of the Franklin Fund up to this time, and asking the Court to appoint the Mayor and Aldermen by their individual names to be joined to said ministers for the desired purpose.

After a hearing of all parties in interest on this matter, Mr. Justice Grant, on July 11, 1897, decided that, as this was a public charity, the Attorney-General was the proper party to appear and make suggestions in the case, and that the City of Boston have leave to withdraw. The Court then afterward decided that it would appoint four laymen who, with the ministers mentioned, should hold and manage the Franklin Fund. Accordingly, on March 18, 1897, the Court announced its appointment of Henry L. Higginson, Charles T. Gallagher, Francis C. Welch, and Abraham Shuman, Rev. Charles W. Duane of the oldest Episcopal Church,² Rev. Stopford W. Brooke of the oldest Congregational Church, and Rev. Alexander K. McLennan of the oldest Presbyterian Church in this city, as Trustees of the Franklin Fund.

¹ Suffolk Probate Records, Book 712, page 1.

² Now Christ Church.

At the first meeting of said Trustees, held on April 22, 1897, Henry L. Higginson was elected Chairman, and Francis C. Welch was chosen Secretary of said Board. At this meeting it was voted that Messrs. Gallagher and Welch be a committee to look into the status of the two Funds and to demand payment and to give receipt therefor ; also that if the Funds were not paid over to the new Board, the same gentlemen are to take such action as may be deemed desirable to place said Funds in the control of the Trustees. To determine this matter a writ of *quo warranto* has been served upon the City Treasurer, and will be passed upon by the Supreme Judicial Court.¹

Incidental remarks were made during the meeting by Messrs. WILLIAM S. APPLETON, GEORGE B. CHASE, A. C. GOODELL, JR., SAMUEL A. GREEN, THOMAS W. HIGGINSON, EDMUND F. SLAFTER, and EDWARD J. YOUNG.

A new volume of the Proceedings — 2d series, vol. xi. — was ready for delivery at this meeting.

¹ The Treasurers of the Franklin Fund and the dates of their appointment by the Trustees have been as follows : 1791, Thomas Edwards ; 1799, Russell Sturgis ; 1801, John Tileston ; 1807, Peter Thacher ; 1811, William Minot ; 1866, Frederic U. Tracy ; 1876, Samuel F. McCleary.